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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/779,348

02/14/2004

Pu-Hua Mei

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8225

33804

7590

06/09/2006

LIN & ASSOCIATES INTELLECTUAL PROPERTY  
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EXAMINER

HILLERY, NATHAN

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/779,348

Applicant(s)

MEI, PU-HUA

Examiner

Nathan Hillery

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications: Application filed on 2/14/04.
2. Claims 1 – 6 are pending in the case. Claim 1 is independent.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 – 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, step (3) of claim 1, **editing a link file in HTML (Hyper Text Markup Language) format with the logic element for assigning and displaying the image/sound data stored at once by opening the link file through a web browser**, has not been described with sufficient particularity such that one skilled in the art would recognize that the applicant had possession of the claimed invention. The knowledge and level of skill in the art would not permit one skilled in the art to immediately envisage the product claimed from the disclosed process. The disclosure does not explain how the link file is edited, from where the link file originates, or how the link file is generated or created. Further, the disclosure does not suggest that the invention can edit a link file.

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5. Claims 1 – 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification discloses a desired utility that is allegedly needed within the art. However, the specification does not disclose how applicant solved such a problem by enabling one of ordinary skill in the art to make and use the invention. The preliminary search of the prior art demonstrates many ways of possibly solving the general problem. The prior art also demonstrates many ways of possibly meeting the limitations of the claimed invention. Without the specifics being disclosed, the skilled artisan is compelled to choose a variety of paths to solve the problem identified by applicant within the confines of the claimed limitations that already exist within the cited prior art when the claimed limitations are interpreted using the broadest, reasonable interpretation in light of the specification.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1 – 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (US 6567122 B1).

8. **Regarding independent claim 1**, Anderson et al. teach that *the digital camera includes the necessary computer resources to function as a web site and host its own internal web server application 910* (Column 15, lines 13 – 15).

a. Anderson et al. teach that the camera may optionally include a sound record button. In capture mode, the camera supports the actions of preparing to capture an image (Column 8, lines 1 – 10), compare with **(1) detecting and catching video/audio signals with an image-sensing element and a sound-sensing element, respectively**.

b. Anderson et al. teach that a process of the present invention provides a method which implements remote access to camera and its internally stored images (Column 9, lines 18 – 21; Figure 7), compare with **(2) storing the caught video-audio signals with a logic element**.

c. Anderson et al. teach that play mode also allows the user to hear recorded sound associated to a displayed image (Column 8, lines 11 – 20), and Anderson et al. teach that when accessed by the user's browser, the digital camera transmits HTML document files for its web page (Column 15, lines 15 – 18) and that the camera's web pages include control buttons for interaction with the user. Using these web pages, the user is able to access the functional controls of the camera in addition to the stored images (Column 15, lines 30 – 35), compare with **(3) editing a link file in HTML (Hyper Text Markup Language) format**

**with the logic element for assigning and displaying the image/sound data stored at once by opening the link file through a web browser; and (4) selectively storing and outputting the link file edited in HTML format and/or the image/sound data through the logic element.** The Office has interpreted the *HTML document files* of Anderson et al. to be equivalent to the claimed **link file**; the *digital camera* as the claimed **logic element**; and *the recorded sound associated to a displayed image* as the claimed **image/sound data**.

9. **Regarding dependent claims 2 – 4**, Anderson et al. teach that depending upon the particular application, the camera's web pages include control buttons, data entry fields, drop down menus, or even more sophisticated objects (e.g., java applets) for interaction with the user (Column 15, lines 30 – 35), compare with **the link file is edited with a language compatible with that of the web browser, the language compatible to the web browser is Java, and the language compatible to the web browser is JavaScript**. The Office has interpreted *web pages that include more sophisticated objects (e.g. java applets)* to be equivalent to being **compatible with web browsers and languages such as Java and JavaScript**.

10. **Regarding dependent claim 5**, Anderson et al. teach that in review mode, the camera supports the actions of reviewing camera contents, editing and sorting images, and printing and transferring images. Play mode also allows the user to hear recorded sound associated to a displayed image, and to play back sequential groupings of images, which may comprise time lapse, slide show, and burst image images (Column 8, lines 11 – 20) and Anderson et al. teach that when accessed by the user's browser,

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the digital camera transmits HTML document files for its web page (Column 15, lines 15 – 18) and that the camera's web pages include control buttons for interaction with the user. Using these web pages, the user is able to access the functional controls of the camera in addition to the stored images (Column 15, lines 30 – 35), compare with **the logic element is capable of assigning and editing a plurality of image data into the link file, and, respectively, so that a user can listen to the corresponding sound data by selecting an arbitrary image data while the link file is opened.** The Office has interpreted the *HTML document files* of Anderson et al. to be equivalent to the claimed **link file**; the *digital camera* as the claimed **logic element**; and *the recorded sound associated to a displayed image* as the claimed **linking a plurality of corresponding sound data with those image data.**

11. **Regarding dependent claim 6**, Anderson et al. teach that the user preferably switches between the capture, review, and play modes, using the mode dial. When the camera is placed into a particular mode, that mode's default screen appears in the LCD screen in which a set of mode-specific items, such as images, icons, and text, are displayed (Column 8, lines 20 – 25) and Anderson et al. teach that when accessed by the user's browser, the digital camera transmits HTML document files for its web page (Column 15, lines 15 – 18) and that the camera's web pages include control buttons for interaction with the user. Using these web pages, the user is able to access the functional controls of the camera in addition to the stored images (Column 15, lines 30 – 35), compare with **the image data of the link file are linked with text data so that the text data is displayed when the link file is opened.** The Office has interpreted the

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*mode-specific items, such as text of Anderson et al.* to be equivalent to the claimed **text data**.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Doug Hutton  
Primary Examiner  
Art Unit 2176

NH